

Public Disclosure Commission - Information Technology Portfolio

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IT Overview

The portfolio overview provides a high level description and analysis of the Public Disclosure Commission's Information Technology (IT) portfolio. The IT portfolio is an assemblage of information about the commission's investments in its information technology infrastructure. It is organized to show how these investments support the commission's mission and programs and to demonstrate the relationships among current and planned investments.

The IT portfolio enhances the ability of key decision-makers to assess the probable impact of investments on the commission's programs and infrastructure, as well as on the overall State IT infrastructure. These decision-makers include the Executive Board, Department of Information Services (DIS) management and staff, Information Services Board (ISB) members and members of the Legislature.

The IT portfolio:

- discloses links among commission strategies and business plans and IT investments
- facilitates analysis of the risks associated with IT investments and helps ensure that appropriate risk management is undertaken
- provides a baseline for commission and State-level performance reporting
- helps ensure that the state IT infrastructure as a whole is effectively integrated

This document contains a summary of business strategies and corresponding IT strategies, the current technology infrastructure, current and planned projects, as well as potential investments under consideration. This information about the commission's IT investment, both current and planned, is required for effective executive management and oversight of technology within the commission.

The portfolio process is a dynamic one. Changes in the environment, most notably shifts in Legislative or Executive priorities and the unremitting advance of technology, will make it necessary to modify and amend the IT portfolio on an ongoing basis. In the end, the value obtained from the IT portfolio is dependent upon the effort put into it. The Commission will continue to build value into its IT portfolio. It recognizes that in order for the portfolio to become an effective decision-making tool, a systematic process for planning, decision-making and maintenance must coexist with, and be supportive of, the portfolio.

Convergence of Business Mission and Information Technology Vision

Mission Statement

The Public Disclosure Commission was created in 1972 by an Initiative of the People to provide public access to information about the financing of political campaigns, lobbyist expenditures, and the financial affairs of public officials and candidates in their dealings, and thus promote public confidence in government and the electoral process.

In 1992, the Commission was further charged with securing compliance with contribution limits and other campaign finance restrictions established by the voters in Initiative 134 to ensure that individuals and interest groups have fair and equal opportunities to influence elective and governmental processes, again, with the purpose of promoting public confidence in government and the electoral process.

Legislative Mandates

RCW 42.17.350 Public disclosure commission--Established-Membership-- Prohibited activities--Compensation, travel expenses.

(1) There is hereby established a “public disclosure commission” which shall be composed of five members who shall be appointed by the governor, with the consent of the senate. All appointees shall be persons of the highest integrity and qualifications. No more than three members shall have an identification with the same political party.

(2) The term of each member shall be five years. No member is eligible for appointment to more than one full term. Any member may be removed by the governor, but only upon grounds of neglect of duty or misconduct in office.

(3) During his or her tenure, a member of the commission is prohibited from engaging in any of the following activities, either within or outside the state of Washington:

- (a) Holding or campaigning for elective office;
- (b) Serving as an officer of any political party or political committee;
- (c) Permitting his or her name to be used in support of or in opposition to a candidate or proposition;
- (d) Soliciting or making contributions to a candidate or in support of or in opposition to any candidate or proposition;
- (e) Participating in any way in any election campaign; or
- (f) Lobbying, employing, or assisting a lobbyist, except that a member or the staff of the commission may lobby to the limited extent permitted by RCW 42.17.190 on matters directly affecting this chapter.

(4) A vacancy on the commission shall be filled within thirty days of the vacancy by the governor, with the consent of the senate, and the appointee shall serve for the remaining term of his or her predecessor. A vacancy shall not impair the powers of the remaining members to exercise all of the powers of the commission.

(5) Three members of the commission shall constitute a quorum. The commission

shall elect its own chair and adopt its own rules of procedure in the manner provided in chapter 34.05 RCW.

(6) Members shall be compensated in accordance with RCW 43.03.250 and in addition shall be reimbursed for travel expenses incurred while engaged in the business of the commission as provided in RCW 43.03.050 and 43.03.060. The compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state. [1998 c 30 § 1; 1984 c 287 § 74; 1982 c 147 § 15; 1975-'76 2nd ex.s. c 112 § 8; 1975-'76 2nd ex.s. c 34 § 93; 1975 1st ex.s. c 294 § 23; 1973 c 1 § 35 (Initiative Measure No. 276, approved November 7, 1972).]

RCW 42.17.360 Commission--Duties. The commission shall:

(1) Develop and provide forms for the reports and statements required to be made under this chapter:

(2) Prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter;

(3) Compile and maintain a current list of all filed reports and statements;

(4) Investigate whether properly completed statements and reports have been filed within the times required by this chapter;

(5) Upon complaint or upon its own motion, investigate and report apparent violations of this chapter to the appropriate law enforcement authorities;

(6) Prepare and publish an annual report to the governor as to the effectiveness of this chapter and its enforcement by appropriate law enforcement authorities; and

(7) Enforce this chapter according to the powers granted it by law. [1973 c 1 § 36 (Initiative Measure No. 276, approved November 7, 1972).]

RCW 42.17.365 Audits and investigations. The commission shall conduct a sufficient number of audits and field investigations so as to provide a statistically valid finding regarding the degree of compliance with the provisions of this chapter by all required filers. [1993 c 2 § 29 (Initiative Measure No. 134, approved November 3, 1992).]

RCW 42.17.367 Electronic access to commission documents. By January 1, 1995, the public disclosure commission shall design a program for electronic access to public documents filed with the commission. The program may include on-line access to the commission's magic and electronic bulletin board systems, providing information for the internet system, fax-request service, automated telephone service, electronic filing of reports, and other service delivery options. Documents available in the program shall include, but are not limited to, public documents filed with the public disclosure -commission, including, but not limited to, commission meeting schedules, financial affairs reports, contribution reports, expenditure reports, and gift reports. Implementation of the program is contingent on the availability of funds. [1994 c 40 § 2.]

RCW 42.17.370 Commission--Additional powers. The commission is empowered to:

(1) Adopt, promulgate, amend, and rescind suitable administrative rules to carry out

the policies and purposes of this chapter, which rules shall be adopted under chapter 34.05 RCW. Any rule relating to campaign finance, political advertising, or related forms that would otherwise take effect after June 30th of a general election year shall take effect no earlier than the day following the general election in that year;

(2) Appoint and set, within the limits established by the committee on agency officials' salaries under RCW 43.03.028, the compensation of an executive director who shall perform such duties and have such powers as the commission may prescribe and delegate to implement and enforce this chapter efficiently and effectively. The commission shall not delegate its authority to adopt, amend, or rescind rules nor shall it delegate authority to determine whether an actual violation of this chapter has occurred or to assess penalties for such violations;

(3) Prepare and publish such reports and technical studies as in its judgment will tend to promote the purposes of this chapter, including reports and statistics concerning campaign financing, lobbying, financial interests of elected officials, and enforcement of this chapter;

(4) Make from time to time, on its own motion, audits and field investigations;

(5) Make public the time and date of any formal hearing set to determine whether a violation has occurred, the question or questions to be considered, and the results thereof;

(6) Administer oaths and affirmations, issue subpoenas, and compel attendance, take evidence and require the production of any books, papers, correspondence, memorandums, or other records relevant or material for the purpose of any investigation authorized under this chapter, or any other proceeding under this chapter;

(7) Adopt and promulgate a code of fair campaign practices;

(8) Relieve, by rule, candidates or political committees of obligations to comply with the provisions of this chapter relating to election campaigns, if they have not received contributions nor made expenditures in connection with any election campaign of more than *one thousand dollars;

(9) Adopt rules prescribing reasonable requirements for keeping accounts of and reporting on a quarterly basis costs incurred by state agencies, counties, cities, and other municipalities and political subdivisions in preparing, publishing, and distributing legislative information. The term "legislative information," for the purposes of this subsection, means books, pamphlets, reports, and other materials prepared, published, or distributed at substantial cost, a substantial purpose of which is to influence the passage or defeat of any legislation. The state auditor in his or her regular examination of each agency under chapter 43.09 RCW shall review the rules, accounts, and reports and make appropriate findings, comments, and recommendations in his or her examination reports concerning those agencies;

(10) After hearing, by order approved, and ratified by a majority of the membership of the commission, suspend or modify any of the reporting requirements of this chapter in a particular case if it finds that literal application of this chapter works a manifestly unreasonable hardship and if it also finds that the suspension or modification will not frustrate the purposes of the chapter. The commission shall find that a manifestly unreasonable hardship exists if reporting the name of an entity required to be reported under RCW 42.17.241 (1) (g) (ii) would be likely to adversely affect the competitive position of any entity in which the person filing the report or any member of his or her immediate family holds any office, directorship, general partnership interest, or an ownership interest of term percent or more. Any suspension or modification shall be only to the extent necessary to substantially relieve the hardship. The commission shall act to

suspend or modify any reporting requirements only if it determines that facts exist that are clear and convincing proof of the findings required under this section. Requests for renewals of reporting modifications may be heard in a brief adjudicative proceeding as set forth in RCW 34.05.482 through 34.05.494 and in accordance with the standards established in this section. No initial request may be heard in a brief adjudicative proceeding and no request for renewal may be heard in a brief adjudicative proceeding if the initial request was granted more than three years previously or if the applicant is holding an office or position of employment different from the office or position held when the initial request was granted. The commission shall adopt administrative rules governing the proceedings. Any citizen has standing to bring an action in Thurston county superior court to contest the propriety of any order entered under this section within one year from the date of the entry of the order; and

(11) Revise, at least once every five years but no more often than every two years, the monetary reporting thresholds and reporting code values of this chapter. The revisions shall be only for the purpose of recognizing economic changes as reflected by an inflationary index recommended by the office of financial management. The revisions shall be guided by the change in the index for the period commencing with the month of December preceding the last revision and concluding with the month of December preceding the month the revision is adopted. As to each of the three general categories of this chapter (reports of campaign finance, reports of lobbyist activity, and reports of the financial affairs of elected and appointed officials), the revisions shall equally affect all thresholds within each category. Revisions shall be adopted as rules under chapter 34.05 RCW. The first revision authorized by this subsection shall reflect economic changes from the time of the last legislative enactment affecting the respective code or threshold through December 1985.

(12) Develop and provide to filers a system for certification of reports required under this chapter which are transmitted by facsimile or electronically to the commission. Implementation of the program is contingent on the availability of funds. [1995 c 397 § 17; 1994 c 40 § 3; 1986 c 155 § 11; 1985 c 367 § 11; 1984 c 34 § 7; 1977 ex.s. c 336 § 7; 1975 1st ex.s. c 294 § 25; 1973 c 1 § 37 (Initiative Measure No. 276, approved November 7, 1972).]

RCW 42.17.375 Reports filed with county elections official--Rules governing. With regard to the reports required by this chapter to be filed with a county auditor or county elections official, the commission shall adopt rules governing the arrangement, handling, indexing, and disclosing of those reports by the county auditor or county elections official. The rules shall ensure ease of access by the public to the reports and shall include, but not be limited to, requirements for indexing the reports by the names of candidates or political committees and by the ballot proposition for or against which a political committee is receiving contributions or making expenditures. [1983 c 294 § 1.]

RCW 42.17.380 Secretary of state, attorney general--Duties.

(1) The office of the secretary of state shall be designated as a place where the public may file papers or correspond with the commission and receive any form or instruction from the commission.

(2) The attorney general, through his office, shall supply such assistance as the commission may require in order to carry out its responsibilities under this chapter. The

commission may employ attorneys who are neither the attorney general nor an assistant attorney general to carry out any function of the attorney general prescribed in this chapter. [1982 c 35 § 196; 1975 1st ex.s. c 294 26; 1973 c 1 § 38 (Initiative Measure No. 276., approved November 7, 1972).]

RCW 42.17.390 Civil remedies and sanctions. One or more of the following civil remedies and sanctions may be imposed by court order in addition to any other remedies provided by law:

(1) If the court finds that the violation of any provision of this chapter by any candidate or political committee probably affected the outcome of any election, the result of said election may be held void and a special election held within sixty days of such finding. Any action to void an election shall be commenced within one year of the date of the election in question. It is intended that this remedy be imposed freely in all appropriate cases to protect the right of the electorate to an informed and knowledgeable vote.

(2) If any lobbyist or sponsor of any grass roots lobbying campaign violates any of the provisions of this chapter, his registration may be revoked or suspended and he may be enjoined from receiving compensation or making expenditures for lobbying: PROVIDED, HOWEVER, That imposition of such sanction shall not excuse said lobbyist from filing statements and reports required by this chapter.

(3) Any person who violates any of the provisions of this chapter may be subject to a civil penalty of not more than ten thousand dollars for each such violation. However, a person or entity who violates RCW 42.17.640 may be subject to a civil penalty of ten thousand dollars or three times the amount of the contribution illegally made or accepted, whichever is greater.

(4) Any person who fails to file a properly completed statement or report within the time required by this chapter may be subject to civil penalty of ten dollars per day for each day each such delinquency continues.

(5) Any person who fails to report a contribution or expenditure may be subject to a civil penalty equivalent to the amount he failed to report.

(6) The court may enjoin any person to prevent the doing of any act herein prohibited, or to compel the performance of any act required herein. (1993 c 2 § 28 (Initiative Measure No. 134, approved November 3, 1992); 1973 c 1 § 39 (Initiative Measure No. 276, approved November 7, 1972).]

RCW 42.17.395 Violations--Determination by commission -- Procedure.

(1) The commission may (a) determine whether an actual violation of this chapter has occurred; and (b) issue and enforce an appropriate order following such determination.

(2) The commission, in cases where it chooses to determine whether an actual violation of this chapter has occurred, shall hold a hearing pursuant to the Administrative Procedure Act, chapter 34.05 RCW, to make such determination. Any order that the commission issues under this section shall be pursuant to such hearing.

(3) In lieu of holding a hearing or issuing an order under this section, the commission may refer the matter to the attorney general or other enforcement agency as provided in RCW 42.17.360.

(4) The person against whom an order is directed under this section shall be

designated as the respondent. The order may require the respondent to cease and desist from the activity that constitutes a violation and in addition, or alternatively, may impose one or more of the remedies provided in *RCW 42.17.390(1) (b), (c), (d), or (e): PROVIDED, That no individual penalty assessed by the commission may exceed one thousand dollars, and in any case where multiple violations are involved in a single complaint or hearing, the maximum aggregate penalty may not exceed two thousand five hundred dollars.

(5) An order issued by the commission under this section shall be subject to judicial review under the Administrative Procedure Act, chapter 34.05 RCW. If the commission's order is not satisfied and no petition for review is filed within thirty days as provided in RCW 34.05.542, the commission may petition a court of competent jurisdiction of any county in which a petition for review could be filed under that section, for an order of enforcement. Proceedings in connection with the commission's petition shall be in accordance with RCW 42.17.397. [1989 c 175 § 91; 1985 c 367 § 12; 1982 c 147 § 16; 1975-'76 2nd ex.s. c 112 § 12.]

RCW 42.17.397 Procedure upon petition for enforcement of order of commission-- Court's order of enforcement. The following procedure shall apply in all cases where the commission has petitioned a court of competent jurisdiction for enforcement of any order it has issued pursuant to this chapter:

(1) A copy of the petition shall be served by certified mail directed to the respondent at his last known address. The court shall issue an order directing the respondent to appear at a time designated in the order, not less than five days from the date thereof, and show cause why the commission's order should not be enforced according to its terms.

(2) The commission's order shall be enforced by the court if the respondent does not appear, or if the respondent appears and the court finds, pursuant to a hearing held for that purpose:

(a) That the commission's order is unsatisfied; and
(b) That the order is regular on its face; and
(c) That the respondent's answer discloses no valid reason why the commission's order should not be enforced or that the respondent had an appropriate remedy by review under RCW 34.05.570(3) and failed to avail himself of that remedy without valid excuse.

(3) Upon appropriate application by the respondent, the court may, after hearing and for good cause, alter, amend, revise, suspend, or postpone all or part of the commission's order. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in writing, and such action shall be subject to review by the appellate courts by certiorari or other appropriate proceeding.

(4) The court's order of enforcement, when entered, shall have the same force and effect as a civil judgment.

(5) Notwithstanding RCW 34.05.578 through 34.05.590, this section is the exclusive method for enforcing an order of the commission. [1989 c 175 § 92; 1982 c 147 § 17; 1975-'76 2nd ex.s. c 112 § 13.]

RCW 42.17.400 Enforcement. (1) The attorney general and the prosecuting authorities of political subdivisions of this state may bring civil actions in the name of the state for any appropriate civil remedy, including but not limited to the special remedies provided in RCW

42.17.390.

(2) The attorney general and the prosecuting authorities of political subdivisions of this state may investigate or cause to be investigated the activities of any person who there is reason to believe is or has been acting in violation of this chapter, and may require any such person or any other person reasonably believed to have information concerning the activities of such person to appear at a time and place designated in the county in which such person resides or is found, to give such information, under oath and to produce all accounts, bills, receipts, books, paper and documents which may be relevant or material to any investigation authorized under this chapter.

(3) When the attorney general or the prosecuting authority of any political subdivision or this state requires the attendance of any person to obtain such information or the production of the accounts, bills, receipts, books, papers, and documents *which* may be relevant or material to any investigation authorized under this chapter, he shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by registered mail to the person at least fourteen days before the date fixed for attendance. Such order shall have the same force and effect as a subpoena, shall be effective state-wide, and, upon application of the attorney general or said prosecuting authority, obedience to the order may be enforced by any superior court judge in the county where the person receiving it resides or is found, in the same manner as though the order were a subpoena. The court, after hearing, for good cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend, or postpone all or any part of its provisions. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in writing, and such action shall be subject to review by the appellate courts by certiorari or other appropriate proceeding.

(4) Any person who has notified the attorney general and the prosecuting attorney in the county in which the violation occurred in writing that there is reason to believe that some provision of this chapter is being or has been violated may himself bring in the name of the state any of the actions (hereinafter referred to as a citizen's action) authorized under this chapter. This citizen action may be brought only if the attorney general and the prosecuting attorney have failed to commence an action hereunder within forty-five days after such notice and such person has thereafter further notified the attorney general and prosecuting attorney that said person will commence a citizen's action within ten days upon their failure so to do, and the attorney general and the prosecuting attorney have in fact failed to bring such action within ten days of receipt of said second notice. If the person who brings the citizen's action prevails, the judgment awarded shall escheat to the state, but he shall be entitled to be reimbursed by the state of Washington for costs and attorney's fees he has incurred: PROVIDED, That in the case of a citizen's action which is dismissed and which the court also finds was brought without reasonable cause, the court may order the person commencing the action to pay all costs of trial and reasonable attorneys fees incurred by the defendant.

(5) In any action brought under this section, the court may award to the state all costs of investigation and trial, including a reasonable attorney's fee to be fixed by the court. If the violation is found to have been intentional, the amount of the judgment, which shall for this purpose include the costs, may be trebled as punitive damages. If damages or trebled damages are awarded in such an action brought against a lobbyist, the judgment may be awarded against

the lobbyist, and the lobbyist's employer or employers joined as defendants, jointly, severally, or both. If the defendant prevails, he shall be awarded all costs of trial, and may be awarded a reasonable attorney's fee to be fixed by the court to be paid by the state of Washington. [1975 1st ex.s. c 294 § 27; 1973 c 1 § 40 (Initiative Measure No. 276, approved November 7, 1972).]

RCW 42.17.405 Suspension, reapplication of reporting requirements in small political subdivisions. (1) Except as provided in subsections (2) and (3) of this section, the reporting provisions of this chapter do not apply to candidates, elected officials, and agencies in political subdivisions with less than one thousand registered voters as of the date of the most recent general election in the jurisdiction, to political committees formed to support or oppose candidates or ballot propositions in such political subdivisions, or to persons making independent expenditures in support of or opposition to such ballot propositions.

(2) The reporting provisions of this chapter apply in any exempt political subdivision from which a "petition for disclosure" containing the valid signatures of fifteen percent of the number of registered voters, as of the date of the most recent general election in the political subdivision, is filed with the commission. The commission shall by rule prescribe the form of the petition. After the signatures are gathered, the petition shall be presented to the auditor or elections officer of the county, or counties, in which the political subdivision is located. The auditor or elections officer shall verify the signatures and certify to the commission that the petition contains no less than the required number of valid signatures. The commission, upon receipt of a valid petition, shall order every known affected person in the political subdivision to file the initially required statement and reports within fourteen days of the date of the order.

(3) The reporting provisions of this chapter apply in any exempt political subdivision that by ordinance, resolution, or other official action has petitioned the commission to make the provisions applicable to elected officials and candidates of the exempt political subdivision. A copy of the action shall be sent to the commission. If the commission finds the petition to be a valid action of the appropriate governing body or authority, the commission shall order every known affected person in the political subdivision to file the initially required statement and reports within fourteen days of the date of the order.

(4) The commission shall void any order issued by it pursuant to subsection (2) or (3) of this section when, at least four years after issuing the order, the commission is presented a petition or official action so requesting from the affected political subdivision. Such petition or official action shall meet the respective requirements of subsection (2) or (3) of this section.

(5) Any petition for disclosure, ordinance, resolution, or official action of an agency petitioning the commission to void the exemption in RCW 42.17.030(3) shall not be considered unless it has been filed with the commission:

(a) In the case of a ballot measure, at least sixty days before the date of any election in which campaign finance reporting is to be required;

(b) In the case of a candidate, at least sixty days before the first day on which a person may file a declaration of candidacy for any election in which campaign finance reporting is to be required.

(6) Any person exempted from reporting under this chapter may at his or her option file the statement and reports. [1986 c 12 § 3; 1985 c 367 § 13; 1982 .c 60 § 1.]

RCW 42.17.410 Limitation on actions. Any action brought under the provisions of this chapter must be commenced within five years after the date when the violation occurred. [1982 c 147 18; 1973 c 1 § 41 (Initiative Measure No. 276, approved November 7, 1972).]

RCW 42.17.420 Date of mailing deemed date of receipt – Exceptions -- Electronic filings. (1) Except as provided in subsection (2) of this section, when any application, report, statement, notice, or payment required to be made under the provisions of this chapter has been deposited postpaid in the United States mail properly addressed, it shall be deemed to have been received on the date of mailing. It shall be presumed that the date shown by the post office cancellation mark on the envelope is the date of mailing. The provisions of this section do not apply to reports required to be delivered under RCW 42.17.105 and 42.17.175.

(2) When a report is filed electronically with the commission, it is deemed to have been received on the file transfer date. Electronic filing may be used for purposes of filing the special reports required to be delivered under RCW 42.17.105 and 42.17.175. [1995 c 397 § 18; 1983 c 176 § 2; 1973 c 1 § 42 (Initiative Measure No. 276, approved November 7, 1972).]

RCW 42.17.430 Certification of reports. Every report and statement required to be filed under this chapter shall identify the person preparing it, and shall be certified as complete and correct, both by the person preparing it and by the person on whose behalf it is filed. [1973 c 1 § 43 (Initiative Measure No. 276, approved November 7, 1972).]

RCW 42.17.440 Statements and reports public records. All statements and reports filed under this chapter shall be public records of the agency where they are filed, and shall be available for public inspection and copying during normal business hours at the expense of the person requesting copies, provided that one charge for such copies shall not exceed actual cost to the agency. [1973 c 1 § 44 (Initiative Measure No. 276, approved November 7, 1972).]

RCW 42.17.450 Duty to preserve statements and reports. Persons with whom statements or reports or copies of statements or reports are required to be filed under this chapter shall preserve them for not less than six years. The commission, however, shall preserve such statements or reports for not less than ten years. (1973 c 1 § 45 (Initiative Measure No. 276, approved November 7, 1972).]

The Public Disclosure Commission was created in 1972 by Initiative of the People to provide public access to information about the financing of political campaigns, lobbyist expenditures, and the financial affairs of public officials and candidates. Such access helps assure the public of the impartiality, fairness, and honesty of public officials and candidates in their dealings, and thus promote public confidence in government and the electoral process.

In 1992, the Commission was further charged with securing compliance with contribution limits and other campaign finance restrictions established by the voters in Initiative 134 to ensure that individuals and interest groups have fair and equal opportunities to influence elective and governmental processes, again, with the purpose of promoting public confidence in government and the electoral process.

In 1999, the Legislature passed **Senate Bill 5931**. It amended several RCWs as follows:

- **RCW 42.17.** That all contribution and expenditure reports be made available to the public in a timely manner. That the Commission consult with DIS in the implementation of this act. That the Commission establish goals such that all electronic information filed using the PDC electronic filing system be available with two working days at the commission's office and within seven business days on the commission web site. That all information not filed using the commission's electronic filing system be made available within four business days at the commission's office and within fourteen business days on the commission web site. On January 2001 the days are changed to read two business days for all electronic filings and four days for all non-electronic filings. That the Commission shall develop and submit performance measure reports not later than July of each year beginning in 2000. That the Commission shall develop, with consultations with affected state agencies, DIS, and other stakeholders, an Information Technology Plan not later than February 2000. That the Commission shall prepare and submit to DIS biennially a performance report that details the Commission's adherence to meeting its Information Technology Plan. That all lobbyists and lobbyists employers be offered a chance to file reports electronically and that all electronic forms be made available at no cost. That all political action committees who expended \$10,000 or more in the preceding year, or expect to expend \$10,000 or more this year, will file electronically with the Commission.
- **RCW 42.17.080.** That specific filing dates and requirements for documentation for the Commission and county are designated for treasurers based upon which the treasurers reside.
- **RCW 42.17.365.** That the Commission shall conduct a sufficient number of audits and field investigations to determine the compliance with this chapter.
- **RCW 42.17.367.** That by January 2001 the Commission will have developed a web site to allow electronic access to reports filed with the Commission.
- **RCW 42.17.420.** That the US Postal Service postmark shall be used for date received and electronic filing transfer date be used.

Commission Vision

The PDC will educate and advise persons subject to the Law about reporting requirements, contribution limits, and other requirements and prohibitions found in the Law.

The PDC will provide technological improvements to filers to ease compliance with the Law.

The PDC will secure compliance with the Law, where necessary, through conducting investigations, holding enforcement hearings, and issuing penalties for noncompliance.

The PDC will prepare reports analyzing the information disclosed in filings so as to present such information in a way that is meaningful, useful, and easily understood.

The PDC will provide a number of alternatives of varying levels of technological sophistication, whereby the public can access filings, databases, reports and other materials prepared by Commission.

IT Vision

The Commission IT is unable, with current technology and staffing levels, to keep up with records processing and data entry. Plans are to replace the Papergate scanning system with a faster scanner and better storage demands. As new filing requirements are enacted, optimistically this should allow the Commission to reduce its backlog and keep up with the data scanning requirements.

Information Technology is extremely important in meeting the Commission's business goals. IT staff tracks the status of hardware and software used daily by Commission staff. This includes upgrading hardware or software by obtaining free updates via the Internet, tracking and resolving error issues as they occur and installing hardware or software for current staff as time allows.

Future IT investments or changes include obtaining the most current hardware and software for Commission staff. This includes upgrading the PC operating systems to MS Windows 98, obtaining and installing the appropriate MS Office 2000 software package and all hardware needs to be upgraded to a minimum of a Pentium III 450 MHz with 64 MB of RAM. IT staff need to obtain additional specialized development software to support the Commission Internet requirements. All Commission staff needs to be trained in the use of current or new software. Once this hardware and software is obtained, it will be used to develop a standard configuration, that with judicious use of allocated IT funds, shall be maintained as newer generations of applications and hardware are developed.

Additionally, IT staff need specialized training that will allow them to install, track current or new software and develop new applications. This training includes Window NT administration, installing and maintaining operating systems on all PCs and developing and maintaining applications used to develop Commission filing systems. This would include, but not be limited to MS SQL, MS Access, C++, FoxPro and Oracle.

Overview of Infrastructure

The Commission has 20 Personal Computers (PCs) used by assigned staff. It has 6 PCs assigned for use by customers that walk in the front door who wish to obtain information about filings. The Commission has three PCs setup for training purposes.

The assigned staffs PCs have a Windows 95 operating system. They use MS Excel 97 or 2000, MS Word 97 or Word Perfect, MS Internet Explorer 5.0 or Netscape 4.06, Cheyenne Anti-virus, MS Outlook Express for E-mail with MS Windows Messaging for in-house communications. Certain PCs have Papergate and MS Access 97 loaded onto them based upon their work assignment.

The Customer PCs have MS Windows 95 loaded on them with Papergate for scanned document searches.

The Local Area Network is an MS Windows NT 4.0 based system. It uses Norton Anti-virus for data security.

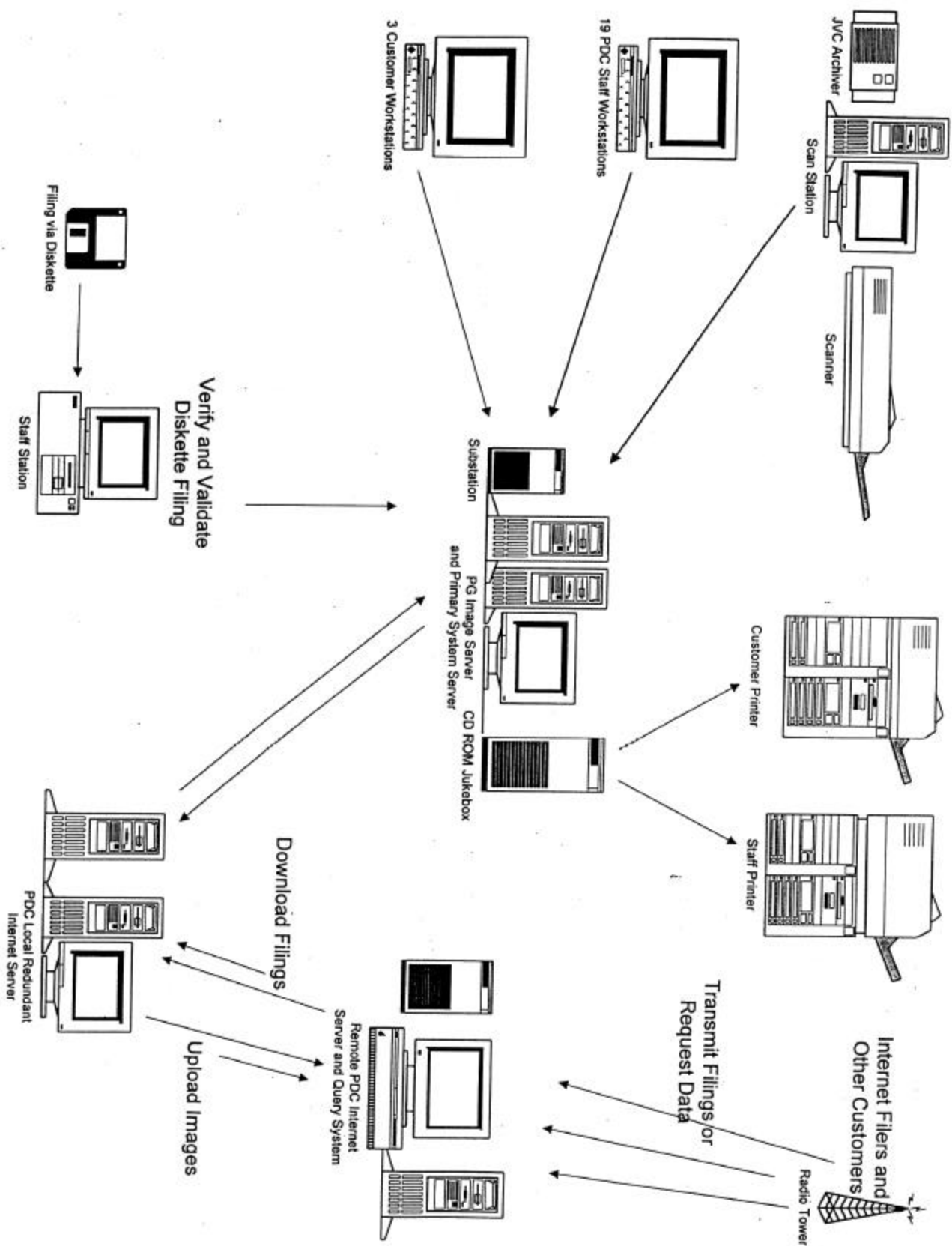
The training PCs have an MS Windows 95 operating system with Washington Electronic Disclosure System (WEDS) loaded on them. WEDS is the electronic filing software used by the Commission for Internet filings.

The Commission IT staff consists of three personnel, an Information Technology Applications Specialist 3 (ITAS 3) and an Information Technology Systems Specialist 2 (ITSS 2) and an Information Technology Systems Specialist 4 (ITSS 4). The ITSS 2 is responsible for all aspects of the electronic filing process. The ITAS 3 is responsible for developing and maintaining applications in support of the electronic filing process. The ITSS 4 is responsible for maintaining and developing all systems necessary to support the Commission in its daily functioning.

An opportunity for the PDC is to consolidate various software applications into a standardized package that will be more easily supported. Some staff uses MS IE 5.0 and others use Netscape 4.06. Other differences include MS Word vs. WordPerfect. The Server uses Norton Antivirus, the PCs use Cheyenne Inoculan IT. Updating all PCs to a minimum standard configuration will also ease the support issues. There are currently Pentium I, II and III with CPU speeds from 166 MHz to 450 MHz that need supporting.

The current infrastructure should be updated. Currently PCs use Windows 95 over a variety of PC configurations. It is getting harder to locate new PCs with MS Windows 95 loaded and not MS Windows 98. With the limited number of IT personnel, having enough staff whom can fully understand all the nuances of the utilized software, will be very difficult. Anti-virus software, on both the Server and PCs, should be consolidated and updated into one package. The office suite, such as Word 2000, Excel 2000, Outlook 2000 and Schedule 2000, should be issued to all personnel. Selected personnel should be issued Access 2000 for database development purposes and PowerPoint 2000 should be issued so that professional presentations may be given.

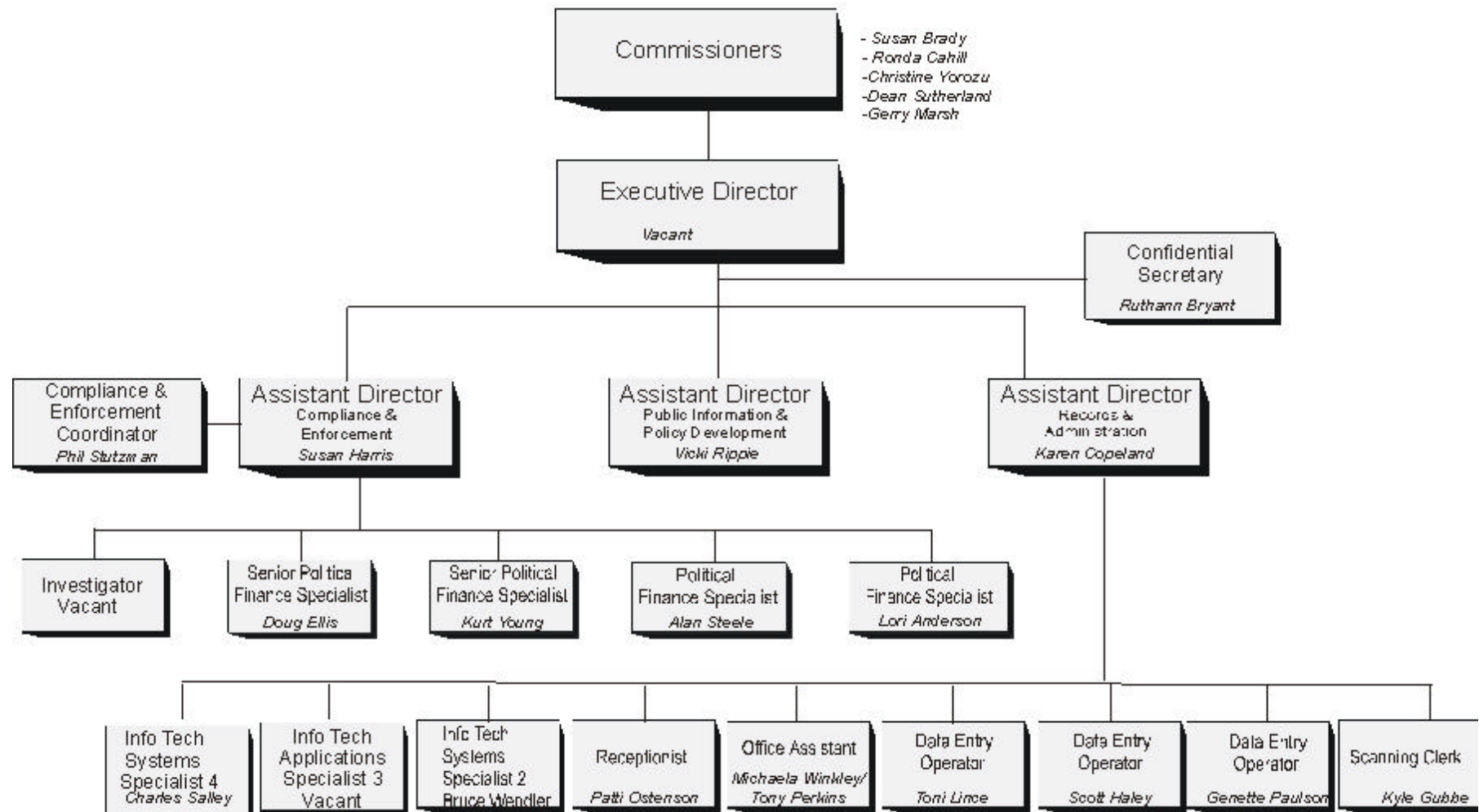
Additionally, the PC operating system should be updated to a minimum standard that will still be available for the next 18 months, the development cycle of new operating systems. Microsoft is currently cutting back on Windows 95 support and putting more of its resources into Windows 98 support. With the release of Windows 2000 in the first quarter next year, support for Windows 95 may stop altogether.



PUBLIC DISCLOSURE COMMISSION

Organizational Chart

January 2000



Analysis

Currently, there are two IT staff at the PDC. One staff member, an ITSS 2 is primarily responsible for maintaining the WEDS data entry system and printer utility function and ensuring accuracy of data entered through that system. He also functions as a help desk for people working with the WEDS software. The other staff member is an ITSS 4. He is responsible for programming requests for data from Foxpro, Informix and MS Access, maintaining all the personal computer hardware and functions as an interface to outside contractors doing work on our systems, updating all commission software as updates become available, maintaining the Commission Help Desk and handling all non-warranty repairs.

The PDC has a contract with a California firm, SDR Technologies, Inc, to develop and maintain the Informix databases for the PDC. They also maintain the organizations filing images and backups and the commission electronic mail server.

Issues:

- The ITSS 2 is the primary focus for online access to the commission databases and this is his primary job. Thus, this limits his availability for other functions.
- The ITSS 4 is attempting to be “a jack of all trades and a master of none.” He is trying to improve his MS Access skills, learn the Informix and Foxpro database systems and the MS Windows NT operating system. He is trying to develop documentation for hardware and software upgrades. He is also the primary contact point for outside contractors who interface with the Commission. All the above listed issues, in addition to non-standard job requirements inherent in the position, have caused scheduling conflicts which has led to the reactive method of thinking and not allowed the position to become pro-active and plan a schedule, that can be adhered to, because of the myriad of demands on his time.
- Several of the personal computers used by commission staff are older PII 166 models. These machines, by today’s computer standards are reaching obsolescence and they are starting to break down and need to be replaced, but the funds necessary to do so are not available. As newer software or hardware is added, this will place greater demand on the PC’s which they may not be able to meet.
- Another issue for both ITSS’s is that there is no money allocated for training. We may be the best persons available at the time when hired but as time goes by our skills become outmoded. At the least, we need the training to provide the minimum necessary skills to support the commission in its’ day to day operations.
- The location of SDR from the Commission site in Olympia makes it difficult to have regularly scheduled face to face meetings and discussions of issues with the Informix system. These contacts are made using the telephone but having the SDR developers meet with the Commission programmers face to face can help facilitate and resolve issues as they arise.

Challenges and Opportunities

The Commission faces several challenges over the foreseeable future. They are:

- Electronic filing is mandated next year for continuing Political Committees who intend to spend more than \$10,000 or more during 2001 or who spent \$10,000 or more during 2000.
- WEDS needs to go online so that electronic filing is accepted into our database.
- Training is to be developed to support online filing.
- Lobbyists are to start electronic filing beginning next year.
- For the calendar year 2000 all candidates for governor, are required to file electronically.
- Attempting to acquire training sites for mandated electronic filings.
- Replacing the current optical scanning system with a newer, faster system.

The Public Disclosure Commission members consist of five positions. The Commission Executive Director position is currently vacant. The position is being double filled by one of the Commission Assistant Directors.

Funding shortfalls fall into the following areas:

- Training to meet electronic filing mandates.
- Hardware replacements and upgrades.
- Software replacements and upgrades.
- Training for IT staff to maintain and to exceed necessary job requirements.
- Developmental funding for mandated electronic filing requirements.

IT staff currently have minimal expertise in Internet/electronic commerce technologies. This is expected to change as staff self-train themselves in needed technologies to support Commission requirements.

Rapidly changing technology and user requirements that the Commission needs to consider consist of the following:

- Faster PCs, the commission uses PCs whose CPUs range from 66 to 450 MHz. Data storage ranges from 500 MB to 7 GB.
- Commission staff needs additional software that will allow them to better track investigations.

To succeed, the Commission needs:

- Additional staff for data entry.
- A standardized suite of software, such as MS Office 2000.
- PC operating system software needs to be upgraded to MS Windows 98.
- Slower PCs need to be upgraded to the same level as the more powerful PCs currently on hand.
- Additional IT staff to allow a division of expertise that will allow better support for a particular IT aspect.
- Additional hardware and software so that IT staff may better support the Commission in its mission.

- Training for all members of the Commission so that they may maintain levels of expertise commiserate with on-hand software.

Currently, data is of such a specific nature that sharing it with another state agency/commission is not feasible. Resource sharing would mainly consist of another agency/commission allowing us to share their training facilities so that we may train customers in the use of electronic filing.

The Commission contributes to the state's IT plan by increasing its service delivery to the public by making more information available through paper, diskettes and the Internet. The information is provided at no cost to the public. Through the use of mailing lists, both postal mail and e-mail lists, as our technology is updated, changes will be transmitted via the most efficient means to the public users of our services. Through the addition of new personnel and the filling of vacant positions, the Commission is investing in the necessary people so they may increase their knowledge and skills within the IT community. Training, as funds become available, and participation in Special Interest Groups will increase their knowledge and skills.

The Commission contributes to the Governor's initiatives towards digital government by its increasing use of a friendlier Internet Web site that the public accesses. More of our information is being made available in a digital format available through both the Internet and diskette. More and better trained IT staff are being hired to help bring the Commission's knowledge base to an increasingly higher level.

Solutions: Current and Future IT Investments

The Commission can apply IT to achieve its business objectives through the development of its Internet Web site so that electronic filing is more utilized by its customers.

Success is considered to be achieved by ensuring information is available to the public within a two week period of time with and also by increasing the amount of scanned documents by 5%.

The challenges will be addressed through increased funding for development and maintenance of the Commission electronic filing systems and additional training for Commission staff.

Current projects include development of a Compliance database to track compliance with Legislative mandates. Additional projects include maintenance of a contract between SDR and the Commission.

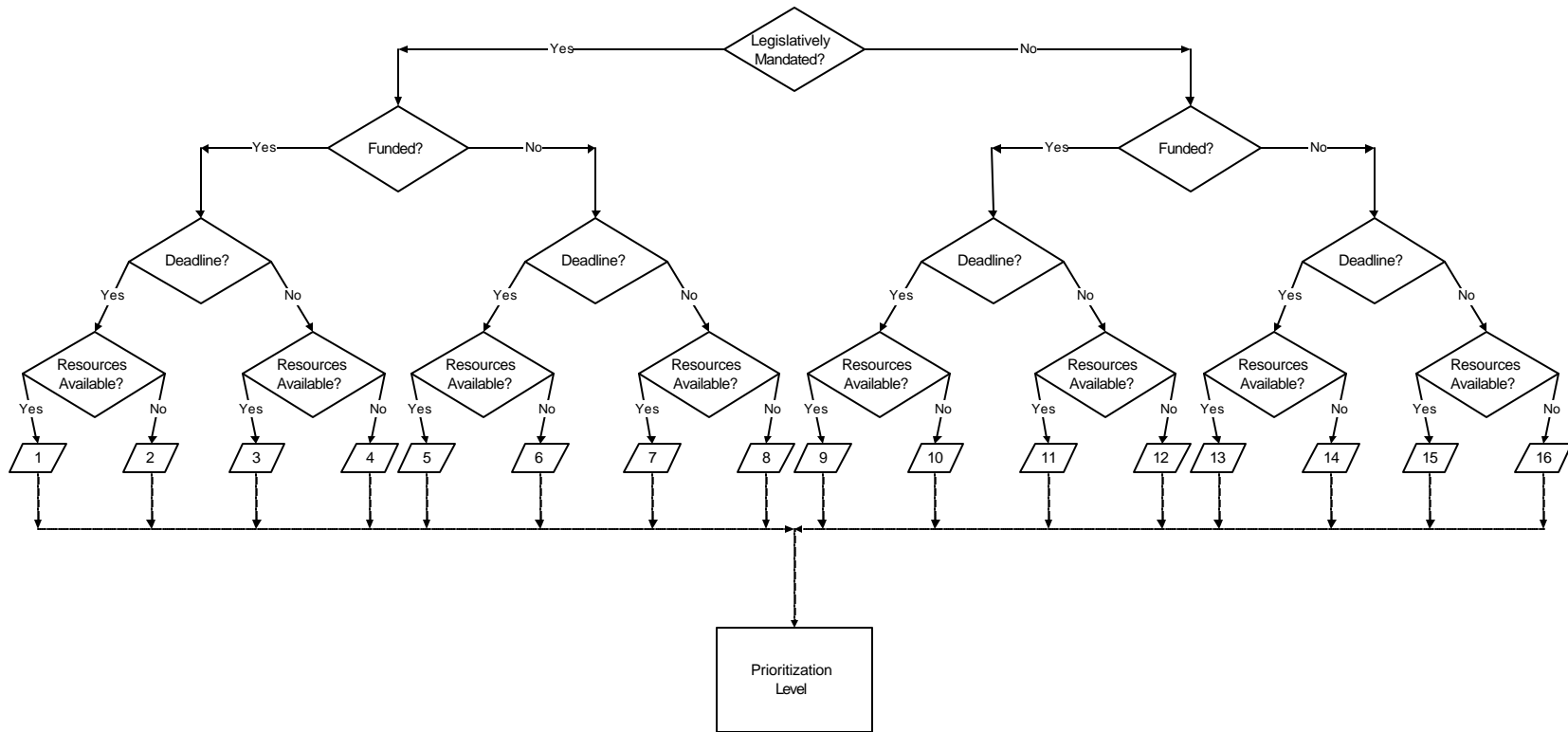
Electronic filing for all public entities, a new optical scanning system to replace the Papergate system which no longer will be able to support our needs and replacing the current Foxpro/Access database with an Oracle database on a Unix operating system.

Electronic filing for Political Committees is mandated by the Legislature to occur over the next 1¼ years. As a result of the mentioned mandate, the databases need to be replaced with a database that is more capable of handling data entry, requests and report requirements. The current document scanning system, Papergate, which will be unable to support our need for scanning of paper documents. The need for a fast and accurate scanning system that will interface with our database system is extremely important to support the Commission Legislative mandates.

Prioritization of the planned projects is accomplished through the following flowchart.

A priority level of 1 is the highest possible priority, with a 16 being the lowest. By working through the flowchart all possible types of projects may be prioritized.

IT Resource Prioritization

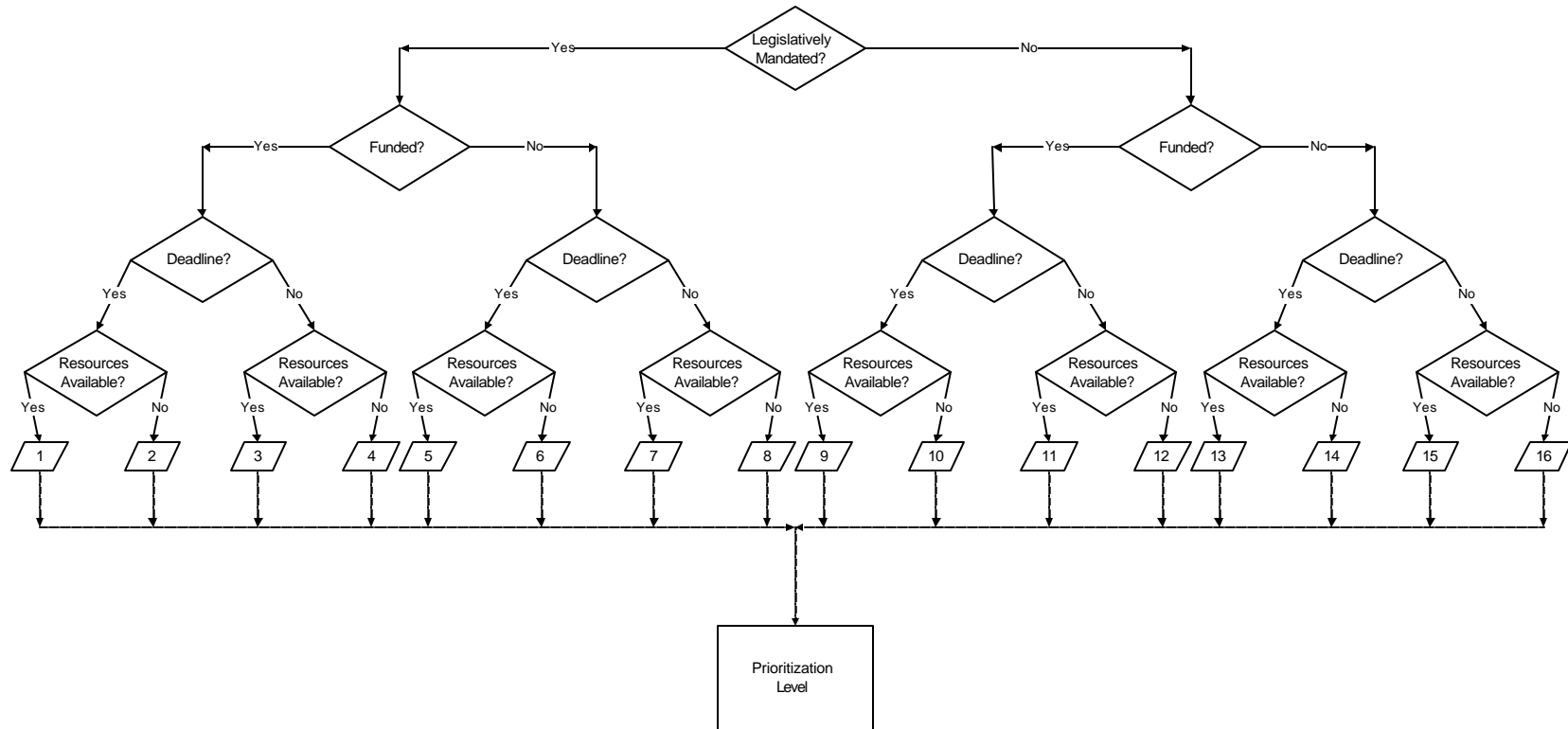


Prioritization Process

The IT staff uses the flowchart from the next page to prioritize its projects. A priority level of 1 is the highest possible priority, with a 16 being the lowest. By working through the flowchart all possible types of resource utilization are accounted for.

The chart is also used to determine funding requests from the Legislature. Of course, the Legislature can always override our priority level and assign one of their own. This could create the possibility of multiple projects with the same priorities and not enough resources to accomplish them, then we are back to the time honored process of deciding which project can be done the soonest and are working our way through the multiple projects.

IT Resource Prioritization



Strategic Business Plan

August 1999

Agency Mission Statement

The Public Disclosure Commission was created and empowered by Initiative of the People to provide timely and meaningful public access to information about the financing of political campaigns, lobbyist expenditures, and the financial affairs of public officials and candidates, and to ensure compliance with contribution limits and other campaign finance restrictions.

Statutory Authority

The Public Disclosure Commission is created pursuant to RCW 42.17.350. The Commission's powers and duties are set forth in RCW Sections 42.17.360, 42.17.365, 42.17.367, 42.17.370, 42.17.395, and other provisions of RCW Chapter 42.17.

Goals

- (1) All filers will submit required reports in a complete, timely, and accurate fashion.**

Objectives

- Filers will have the option of filing their reports on paper, by diskette, or via the Internet.
- All requests for the PDC to conduct candidate and treasurer workshops will be accommodated.
- Filers will have access to forms, manuals, and other instructional materials over the Internet. Requests for materials by those without access to the Internet will be processed on the same day as the request is received.
- A member of the staff will always be available during business hours to respond to callers asking filing questions.
- The Commission will promulgate, in accordance with Executive Order 97-02, any necessary rules, policies, and interpretations to provide guidance under the Law, and will provide timely responses to written requests for advice.
- The Commission will perform a sufficient number of audits to provide a statistically valid finding regarding the degree of compliance with the Law.
- The Commission will hold enforcement hearings and, where appropriate, penalize filers who have not, after receiving reminder notices, filed the required reports.

- The Commission will seek to recover through the judicial process the payment of penalties from those who fail to pay the assessments levied against them.

(2) The public will have timely and convenient access to filed reports and the ability to access data in ways that are most useful and best suit their individual needs.

Objectives

- Filed reports will be safely stored and efficiently organized.
- Images or copies of filed reports, frequently requested material, and other items of interest will be available on the Internet, on terminals in the PDC's lobby, and by mail, fax, and e-mail.
- The time between receipt of a filing and scanning of the report into the imaging system will be reduced.
- The time between receipt of a filing and entry of selected information into the database will be reduced.
- The amount of information entered into the database from filed reports will increase.

(3) Candidates, political committees, and contributors will be in compliance with the contribution limits and other campaign finance restrictions of Initiative 134.

Objectives

- A member of the staff will always be available during business hours to respond to callers asking questions about compliance with I-134.
- Filers will have access to forms, manuals, and other instructional materials over the Internet. Requests for materials by those without access to the Internet will be processed on the same day as the request is received.
- All requests for presentations and workshops will be accommodated.
- The Commission will promulgate, in accordance with Executive Order 97-02, any necessary rules, policies, and interpretations to provide guidance under the Law, and will provide timely responses to written requests for advice.
- The Commission will perform a sufficient number of audits to provide a statistically valid finding regarding the degree of compliance with the Law.

- The Commission will process all complaints in an expeditious, consistent and fair manner that is appropriate according to the merits of the complaint and the results of any ensuing investigation.
- The Commission will seek to recover through the judicial process the payment of penalties from those who fail to pay the assessments levied against them.

Strategies

The PDC will:

- Educate and advise persons subject to the Law about reporting requirements, contribution limits, and other requirements and prohibitions found in the Law.
- Offer filers different methods, of varying technological sophistication, by which they can file required reports.
- Promulgate rules and policies in accordance with Executive Order 97-02, and issue advisory opinions, to address issues of interpretation that arise under the Law.
- Provide different methods, of varying technological sophistication, for the public to access filings, data, and other material.
- Act in a fair and impartial manner to secure compliance with the Law, where necessary, through conducting investigations, holding enforcement hearings, and issuing penalties for noncompliance.

Performance Measures

Goal: All filers will submit required reports in a complete, timely, and accurate fashion.

Outcome: Percentage of candidates, political committees, lobbyists, and public officials who meet statutory filing deadlines

Output: Number of filers using electronic filing

Goal: The public will have timely and convenient access to filed reports and the ability to access data in ways that are most useful and best suit their individual needs.

Output: Number of files pulled by staff for public inspection and copying

Output: Number of times PDC's Internet site is accessed

Financial Plan

The greatest obstacle to fulfillment of the PDC's strategic plan is lack of staff. The size of the staff has not increased since the FY 91-93 Biennium, even though the scope of the Commission's duties has greatly expanded since that time with the passage of I-134 and several statutory enactments. More specifically:

- No FTE's have been added to PDC staff since the enactment of Initiative 134, although forty-one new sections of law were enacted and have had to be interpreted, administered, and enforced.
- S.B. 5864 was enacted in 1995, extending some provisions of I-134 to local and judicial candidates, as well as allowing for the establishment of surplus funds accounts and making other changes to the law. No money was appropriated to the Commission for implementation of the 1995 legislation.
- Detailed information about every contribution to state and legislative candidates, regardless of amount, is now entered into the database by two staff members. Prior to I-134, detailed information was entered only for contributions totaling \$500 or more from a single source to candidates for state-wide office or \$150 or more to candidates for legislative office. Detailed information from approximately 50,000 filings is entered into the database each year. Again, no funds for data entry assistance have been appropriated, although requested as part of every PDC budget proposal since I-134.
- As part of the FY 91-93 Budget, the PDC was funded for a political finance specialist position that it was forced to forgo filling as part of the mandatory-funding cutback in January 1992. Funding has never been provided to fill the position. Thus, even before I-134, there was a recognized need for additional assistance that has gone unfulfilled.
- The number of complaints filed each year by the public has almost tripled from 1992 to 1996.
- The level of campaign spending, which the PDC must monitor and regulate, has increased 40% from 1992 to 1996.
- The Commission has only one staff member available to plan, administer, and provide filer education and training, which includes leading and coordinating training sessions and workshops, and writing and producing manuals, brochures, and other informational materials. This is only one part of her duties--she is also responsible for assisting the Commissioners develop policy, administrative rules, interpretations, advice, and legislative proposals, overseeing form production, analyzing statutory changes, and disseminating information to the public, filers, the media, and interest groups.
- Three additional staff members were requested as part of the PDC's FY 97-99 budget proposal to help conduct workshops, develop training materials, research and advise as to

new technologies, keep written materials current, coordinate outreach efforts, and advise filers, in person, over the telephone, or through written opinions. Both Governor Lowry and Governor Locke included funding for two of these positions in their budget requests to the Legislature. However, the Legislature did not authorize the positions.

- One indication of the increase in the Commission's workload is the fact that the PDC's Attorney General's costs have almost doubled over the past six years, yet no provision has been made for agency staffing.
- Although the Legislature has appropriated technology money to the PDC in order to improve customer service, the agency is at a point now, where its sophisticated software and hardware resources and Internet capabilities threaten to outstrip the ability of PDC staff to fully utilize and manage them.

In sum, any plan for prompt, comprehensive, and responsive client service will not be realized until the size of staff is increased in key areas.

Appraisal of External Environment

The workload of the Commission is affected by a number of external factors. First, election cycles vary from year to year. For example, local elections are held in odd-numbered years, while state legislative races are held in even-numbered years, and races for the statewide executive offices are held every four years. Special elections for office may be held every year. Typically, there are more campaigns in the odd-numbered years, but it is difficult to predict how many candidates will run for any given office during a particular election cycle. Furthermore, the number of statewide and local ballot measures before the voters varies greatly from year to year.

Although there may be more campaigns in the odd-numbered years, the contribution limits of Initiative 134 do not apply to candidates for local office, and thus the scope of the law that must be administered and enforced by the PDC during those election cycles is narrower than that applied to statewide executive and legislative candidates.

Second, the length of each legislative session will affect PDC workload. During the longer sessions in odd-numbered years, there are more lobbyist registrations and reports.

Third, the workload is affected by the number of complaints filed by members of the public, "citizen actions" filed in court, and public records requests filed pursuant to enforcement matters and otherwise. These are all matters over which the Commission has no control, but which, for the most part, are extremely time consuming and must be promptly attended to.

The number of complaints filed by the public has risen steadily since the enactment of Initiative 134. In FY 92, the public filed 33 complaints. In FY 98, 90 complaints were filed. Again, this work has been absorbed with no increase in staff. Not only are the sheer numbers of cases increasing, but the investigative and enforcement proceedings that follow from these complaints

are becoming increasingly more lengthy and complex in nature, and more frequently result in appeals through the judicial system.

The Commission is also seeing complainants, respondents, and others who follow the Commission's enforcement cases more frequently serving the agency with public records requests that often cover ten or twenty years worth of documents numbering in the thousands. The inability to promptly provide access to these documents can, as recent experience has shown, result in penalties and attorneys fees being assessed against the Commission.

The Commission has also seen an increase in the number of "citizen's actions" being filed. Five were filed in 1996 and 1997, probably more than have been filed in total since the law's passage in 1972. These are especially taxing on agency resources because of the strict timelines involved. RCW 42.17.400 allows any person to file a "citizen's action" in superior court to enforce the Public Disclosure Law if they have given the Attorney General and county prosecutor 45 days notice and the officials have declined to act. Although the statute requires notice to be filed with the Attorney General and prosecutors, the PDC, as a practical matter, is brought into these cases. The Attorney General's office relies on the PDC to provide advice and investigative assistance, and the PDC is billed by the AGO's office for its work on these cases. The filing of a citizen's action, with its strict deadlines, taxes the limited resources of the PDC, and in effect, removes the agency's ability to set its own priorities. This pressure is intensified by the provision that taxpayer money be used to reimburse a complainant who prevails for costs and attorneys fees.

Trends in Customer Characteristics

Probably the most significant trend is that an increasing number of filers and members of the public have access to ever-evolving technological resources. This trend requires the Commission to continuously re-examine the ways in which it can best reach and serve these customers.

In the FY 97-99 Budget, the PDC was appropriated \$378,000 for technology to improve customer service. The Commission is using this money to, among other things: (1) enable campaigns and financial affairs filers to file their reports on diskette or over the Internet; (2) enable the PDC to electronically accept data filed on diskette or over the Internet into its databases without the need for manual data entry, thus expanding the scope of information available to the public; (3) put images of filed reports on the Internet; and (4) create a query system on the Internet so that viewers may execute their own searches of the database. These improvements would not have been feasible or useful except that filers and other members of the public have increasingly available to them computers, sophisticated software with which to view and manipulate the information provided, and access to the Internet.

The Commission had hoped to also make available to lobbyists the ability to file their reports on diskette or over the Internet, but there were insufficient funds in the FY 97-99 budget to cover the \$97,500 cost. It would be a logical item to request in the FY 99-01 budget, but the

Commission is unable to make reductions in any other area of service in order to offset the request, as required by OFM.

The Commission has also seen a rise in the expectations and scrutiny of the media, who are, as representatives of the public, the Commission's "biggest customer" in seeking access to campaign information collected and disseminated by the Commission. The press expects information to be provided immediately, accurately, and in a format they find most useful at the moment. Any deviation from these standards seems to result in an editorial or news article. For example, in 1996, the agency's data entry personnel entered, in a half-dozen cases, zip codes where contribution amounts should have been entered. A reporter, who had been looking at campaign filings, caught the error and ran a story about it in the paper. (It was not a correction piece on a story previously run on contributions received by the candidates--this was a story all on its own.) The PDC has three data entry staff members, who are responsible for keying in detailed information from approximately 50,000 reports annually, and their accuracy is excellent. The fact that the media found the purely human error of three overworked clerical employees to be "newsworthy" clearly demonstrates the level of scrutiny to which the PDC is subject.

The media are also intensely interested in PDC investigations, enforcement hearings, and policies, since the work often involves high-profile officeholders and candidates. Because of their coverage of candidates and officials, the press becomes intimately familiar with the work of the agency, and their scrutiny tends to extend to the operations of the Commission as a whole. It is the PDC that becomes newsworthy, not just the candidates or lobbyists it tracks. Such scrutiny is disproportionate to the PDC's size, but again emphasizes its importance to the public interest.

Internal resource assessment

As discussed above, additional FTE's are needed in order for the PDC to implement this strategic plan and carry out the desire of the voters as expressed in Initiatives 276 and 134 for an effective political finance law.

In addition, resources to support the work of staff (even at current levels) are wholly inadequate:

- The PDC's "development and training" budget for Commissioners and staff fails, at \$1,000 per year, to provide any kind of ongoing program of skills training, to the detriment of the agency's ability to meet the increasingly complex demands of its workload.
- The Commission has over the years repeatedly requested more funding to support the travel needs of the agency. The budget must cover: (1) the travel of five Commissioners to attend at least ten meetings per year, legislative hearings, Senate confirmation hearings, and Commissioner training; (2) educational training staff provides for filers; (3) enforcement interviews and depositions; and (4) travel for witnesses to attend enforcement hearings.

Also, the Commission's budget cannot ensure that equipment and software will be replaced as necessary. Industry sources recommend that 15% of the costs of software and hardware be budgeted for replacement. In FY 98 alone, the Commission spent over \$230,000 for software

and hardware for the electronic filing and access project, and an additional \$20,000 for equipment and software for internal purposes. The \$35,000 needed to cover replacement costs cannot be included in the budget request because of the inability to make reductions in other areas.

Risks, obstacles, and opportunities

The overriding goal of the Public Disclosure Law is to promote public confidence in government and the electoral process. (Declarations of Policy to Initiatives 276 and 134, codified as RCW 42.17.010 and .620, respectively.) If the Public Disclosure Law cannot be effectively administered and enforced, its purpose to restore public confidence in the electoral process and government itself will be defeated. The public's trust in the integrity of its elected leaders and the candidates who run for such positions of leadership will be undermined, and the belief that all persons, regardless of wealth, have the chance to have their voices heard will be overwhelmed by the uncertainty of how and why the candidates they elect to office make their decisions.

The public has, through two initiatives, directly and unambiguously indicated its desire to have access to campaign finance and other information related to the conduct of elections and government, and to have contribution limits and other restrictions on the way campaigns are financed and operated. The people were equally clear that they wanted to have these precepts secured in a meaningful way by creating and empowering the Public Disclosure Commission. Obvious corollaries to the voters' mandate are adequate funding for the Commission, and careful utilization of that funding by the Commission to best serve the goals of the law. If the PDC cannot carry out the voters' mandate due to lack of support from the state's elected leaders, public cynicism will surely follow, and the confidence in government intended by the voters to be created and restored under Initiatives 276 and 134, will instead, be diminished.

As discussed below, Washington State has long been a leader nation-wide in the area of campaign finance reform. However, this leadership is threatened by the lack of resources provided the PDC to effectively implement the laws passed by the voters.

Alternative strategies

The PDC is uniquely situated because it is responsible for regulating those persons who set the Commission's budget and prescribe the Commission's authority. The PDC, perhaps more than any other agency, risks legislative reaction to the exercise of its authority, since it has a direct, personal impact on members of the Legislature and their ability to return to office. The PDC also regulates other officeholders as well as stakeholders within the political system who have influence over, and access to, officeholders, such as lobbyists, PAC's, political parties, and campaign contributors.

Although it is, of course, beyond the authority of the Commission to implement, an alternate method of funding the agency may be the only way to ensure that the PDC has sufficient funds on an ongoing basis to carry out Initiatives 276 and 134.

This need was recognized and supported by The Washington Council for Fair Elections, a group funded by the Bullitt Foundation to restore public faith in the political system. In its 1997 Board Report, the Council stated:

If we want the PDC to make more information available more quickly, we have to pay for staff and technology. If we want it to be our impartial, vigilant watchdog of campaign spending, we can't leave it vulnerable to budget cuts every time it goes after a legislator. PDC funding must be insulated from the normal year-to-year legislative process. (p. 20)

The California Fair Political Practices Commission has a guaranteed minimum budget set in law, which is adjusted each year by cost of living changes. (California Government Code section 83122). As recommended by Frederick Herrmann, executive director of the New Jersey Election Law Enforcement Commission, in his comprehensive article about the authority and funding of ethics, lobbying, and campaign finance agencies:

An effective ethics board should have a guaranteed base budget adjusted annually for inflation based on the current practice in place for the California Fair Political Practices Commission. Moreover, any increase in administrative or enforcement responsibilities or the expansion of jurisdiction should result in an increase in the funding base . . . Agencies desperately need additional revenue and a source of money that is independent of the control of the regulated. The guaranteed base budget approach may well be the key for agencies to obtain the resources they need free of improper restraints.

("Bricks Without Straw: The Plight of Governmental Ethics Agencies in the United States," as published in the Public Integrity Annual)

There are a number of ways in which an independent funding system could be structured. Another model would be to base the PDC's budget on an independent, objective factor or indicator. For example, Michigan ties the budget of its civil service commission to the aggregate payroll of the state civil service. (Mich. Constitution Art. XI, sec. 5) In a similar manner, the PDC's budget could be based upon total campaign spending for the previous year. Perhaps it could be tied to a certain percentage of the state general fund, or the legislature's budget. Some states supplement the appropriation for ethics/campaign finance agencies with filing fees. Whatever the specific proposal, however, the Commission's budget needs to be insulated from "improper restraints" and the infusion of politics into a system that should not be about politics at all.

This is not to say, of course, that the Commission should not be held accountable for the manner in which it operates and expends its funds. The proposal to differently structure the Commission's budget levels is in no way meant to interfere with the oversight functions of the Legislature, Governor and OFM, Auditor, Treasurer or other statutory and administrative safeguards. Further, one only has to look to this state's daily newspapers to see the hundreds of editorials and stories that rightly hold the PDC and its operations up to constant public scrutiny.

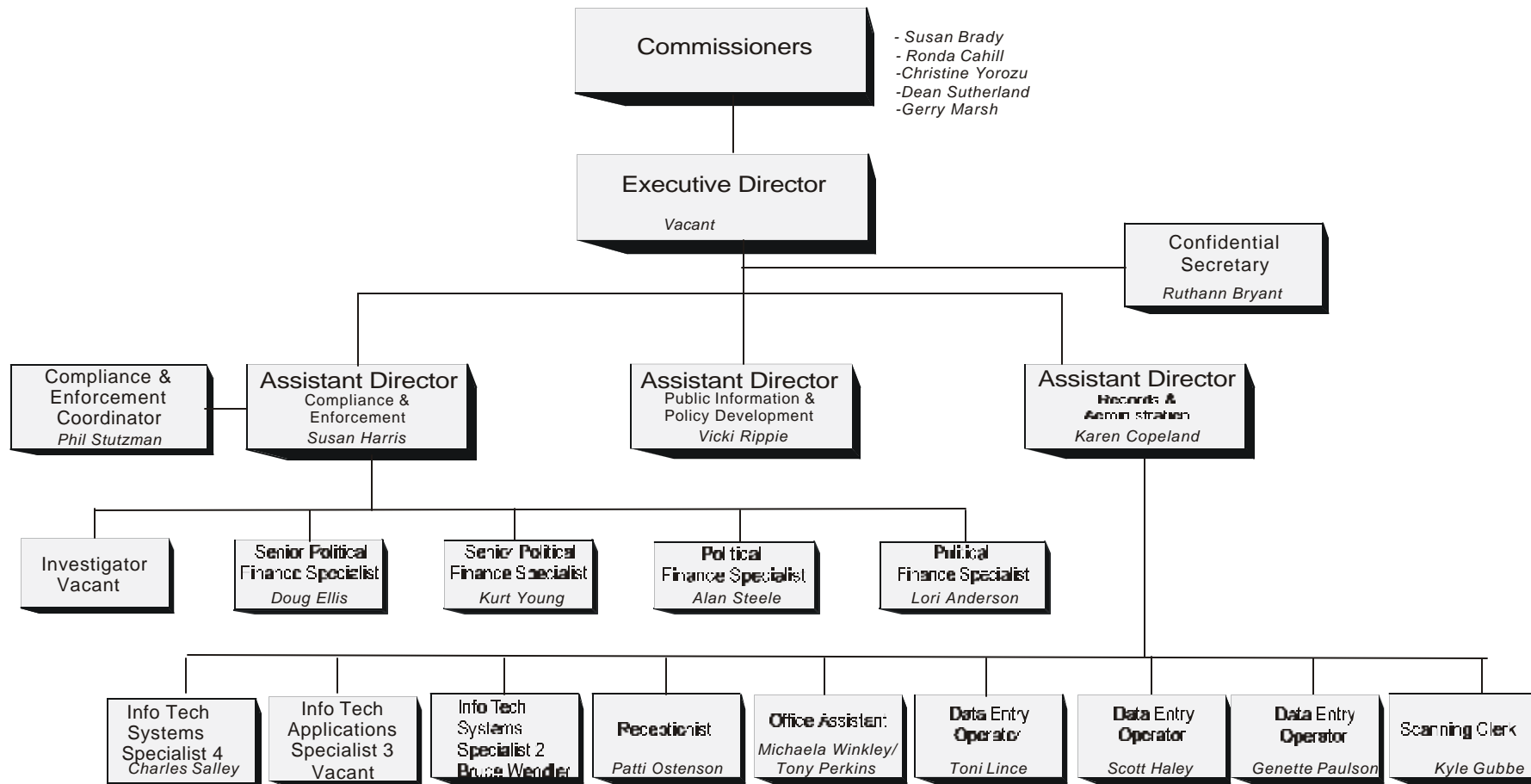
Washington State has long been a national leader in campaign finance disclosure. It was one of the first states to actually implement a disclosure law, and has been a forerunner in providing electronic access to political finance information. Michael Malbin and Thomas Gais, in their book, The Day After Reform, Sobering Campaign Finance Lessons from the American States, (Rockefeller Institute Press, 1998, pp.33-34) cite a survey by the organization Contributions Watch which ranks Washington second among the states on performance of its disclosure responsibilities.¹ Washington can again show its leadership in this arena by establishing a mechanism to fund a vigorous, robust, yet responsible, agency that can truly exercise the voter's mandate without fear of reprisal.

¹ The survey awarded point scores for items such as agency services and facilities, reports maintenance and availability, the cost of reports, and reports integrity and organization.

PUBLIC DISCLOSURE COMMISSION

Organizational Chart

January 2000



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Current and Projected IT Spending

	Hardware Purchase	Hardware Lease	Software Purchase	Software Lease	Software Maintenance
Current Biennium (Actual)	\$8,000	\$0	\$125,000	\$0	\$50,000
Next Biennium (Projected)	\$9,000	\$0	\$0	\$0	\$0
	Telecom- munication Services	Data Processing Services	Repairs and Maintenance	Professional Development of IT Staff	End User IT Training
Current Biennium (Actual)	\$2,500	\$15,000	\$20,000	TBD	\$1,500
Next Biennium (Projected)	\$2,600	\$16,000	\$20,000	TBD	\$1,500

	Total
Current Biennium (Actual)	\$222,000
Next Biennium (Projected)	\$49,100

IT Personnel

	Total Agency IT FTEs	Salaries and Benefits	Personal Service Contracts	Professional Development
Current Biennium (Actual)	4	\$149,040	\$0	\$1,500
Next Biennium (Projected)	5	\$296,933	\$0	\$1,500

Personal and Workgroup Computing

Staffing

Total Commission staffing consists of the below listed positions:

Staff Title	FTEs
Executive Director	1
Assistant Directors	3
Confidential Secretary	1
Compliance & Enforcement Coordinator	1
Investigator	1
Senior Political Finance Specialists	2
Political Finance Specialists	2
IT Systems Specialist 2	1
IT Applications Specialist 3	1
IT Systems Specialist 4	1
Receptionist	1
Office Assistant	1
Data Entry Operator	3
Office Assistant - Scanner	1
Total	20

Personal Computers

The Commission has the following Personal Computers (PCs) assigned:

PC Type	Quantity	Used By
Pentium I	9	Assigned Staff
Pentium II	1	Assigned Staff
Pentium III	10	Assigned Staff
Pentium I	6	Customers
Pentium I	6	Training

Currently, all Commission PCs are linked to the MS Windows NT 4 LAN.

All Commission PCs have access to the Internet via a T1 connection through MS Internet Explorer 5.0 or Netscape 4.6.

Printers

The Commission has the following printers assigned:

Printer Type	Quantity	Used By:
HP LaserJet 3	1	Assigned Staff
HP LaserJet 5	2	Assigned Staff
HP LaserJet 5si	2	Assigned Staff and Customers
HP LaserJet 1100	3	Training
Canon BJ 2se	2	Assigned Staff

Software

The Commission uses the following software, located either on the PC harddrive or the NT Server:

Software	Software Location
Adobe Acrobat v4.0	Harddrive
Calendar Creator Plus v4.0	Harddrive
Calendar Creator Plus v5.0	Harddrive
Centura	Harddrive
Chameleon v4.5	Harddrive
Cheyenne Antivirus v4.0.0.231	Harddrive
Corel Draw v9.0 upgrade	Harddrive
Diskkeeper	Server
DiskExtender	Server
Fiona Apple	Harddrive
Foxpro for DOS Server v2.5	Server
HP Tape Assure	Server
Informix	Harddrive
Intersolv	Harddrive
Iomega Tools	Harddrive
MS Access 97	Harddrive
MS Access 97	Server
MS Excel 2000	Harddrive
MS Excel 97	Server
MS Excel v5.0c	Server
MS FrontPage 98	Harddrive
MS FrontPage Express	Harddrive
MS FrontPage Server Administrator	Harddrive
MS IE v5.0	Harddrive
MS Image Composer	Harddrive
MS Outlook 2000	Harddrive
MS Outlook 97	Harddrive
MS Outlook Express	Harddrive

MS PowerPoint v4.0 - upgrade	Harddrive
MS SQL Server	Harddrive
MS Word 95	Harddrive
MS Word 97	Harddrive
MS Word v6.0	Harddrive
Netscape v4.6	Harddrive
Norton Anti- Virus	Server
ODBC 3.0 Driver	Harddrive
Papergate	Server
PC Anywhere v8.0	Harddrive
PC Anywhere 32	Harddrive
Power Album	Harddrive
Power Chute	Harddrive
PQ Drive Image v2.0	Harddrive
PrintScreen 95	Harddrive
Real Jukebox	Harddrive
Real Player G2	Harddrive
Roadmap	Harddrive
SIS mm	Harddrive
Site Kiosk	Harddrive
Timeslips v5.5	Server
Visual Basic 5.0 (SP2) CCE	Harddrive
WAFfile 3	Harddrive
WALoad	Harddrive
WAPrint	Harddrive
Webshots Screen Saver Toolbox	Harddrive
WEDS	Harddrive
WinPB	Harddrive
Winzip v6.0	Harddrive
Winzip v7.0	Harddrive
WordPerfect v6.0a	Harddrive

Infrastructure

Currently, the Commission has four servers: 1) MS Windows NT 4 LAN, 2) Papergate, 3) Mail/Informix database server and a 4) Web Server.

The Network Server has MS Windows NT Service Pack 4.0 loaded on it. It has dual 233 MMX Pentium I processors with 132 MB RAM. It has four harddrives with a total storage capacity of 21 GB. The Commission owns it.

The Papergate Server is a Compaq Presario Pentium I 133 MHz processor that has 16 MB of RAM. It has a one GB harddrive. It uses Windows 95 base as its operating system.

The Mail server is a Unix processor with a 450 MHz processor and 256 MB RAM. It has six 9.0 GB harddrives. It uses a Sun Solaris 5.5.1 operating system. The Unix box is owned by the Commission but administered by SDR Technologies, INC, a California company.

The Web Server is a Windows NT 4.0 Service Pack 6.0 loaded on it. It has a Pentium II 400 MHz processor with 132 MB RAM. It has one harddrive split into 2 NTFS partitions with a total storage capacity of 6 GB. The Commission owns the server. It uses MS Frontpage for Web development.

The Commission has two scanners using the Papergate system. They are a Ricoh IS 410 and a Bell & Howell Copiscan II. The Ricoh is the primary scanner with the Bell & Howell scanner as the backup. The scanners are used to scan documents submitted by filers into the Papergate system and then made available over our Network to any citizen to look at, and make copies of.

All Commission PCs have access to the Internet via a T1 connection through MS Internet Explorer 5.0 or Netscape 4.06.

Future IT Plans

The Commission plans to acquire, and already has acquired, 4 new PCs. These are Pentium IIIs with a processor speed of 450 MHz with 64 MB RAM and 6 GB harddrives. No additional replacements are planned for the current biennium.

The Commission plans to move its Web site to a more secure location through contracting with an appropriate bidder.

The Commission is splitting its current office into two sections. One section will stay in its current location while the other section moves to the second floor of the same building. This will necessitate hiring a contractor to run new LAN cable lines to the second floor.

IT Security Plan

The IT Security Plan is a secure document that is not posted on this web site.

If you desire a copy of the IT Security Plan, please contact
Karen Copeland 753-1111 or
Charles Salley 664-4962.

Or you may write to the following address:
Public Disclosure Commission
PO Box 40908
Olympia, WA 98504-0908

Disaster Recovery/Business Resumption Plans

The Disaster Recovery Plan is being re-developed to reflect the latest guidance from DIS and the ISB.

If you desire a copy of the Disaster Recovery Plan when it is completed, please contact
Karen Copeland 753-1111 or
Charles Salley 664-4962.

Or you may write to the following address:
Public Disclosure Commission
PO Box 40908
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Public Access

As part of the PDC's electronic filing and access project funded in the FY 97-99 Budget, the PDC has established its own Internet server so that candidates, PAC's, and other filers may electronically file their required reports over the Internet. It also enables the public to access the PDC's Web Page, which includes images of filed reports and allows users to execute queries of the database.

The Commission also plans to allow lobbyists and lobbyist employers to file electronically via the Internet not later than 1 January 2001. This is a Legislatively mandated project.

In order to maintain the Internet server, the PDC must maintain a Frame Relay T-1 line from Olympia to Primenet in Seattle. From Seattle, the T-1 line connects to two DS3 lines to data centers in Los Angeles and Virginia. This connectivity is maintained through SDR who contracted with the PDC to create and implement the electronic filing and access project. Pursuant to the contract, the rate of \$2,000 per month for maintaining connectivity is to remain in effect through FY 2000. The Vendor estimates that, beginning in FY 2001, the rate will increase to \$3,000 per month. The Commission assumes no other phone company or connectivity charges.

E-mail addresses, and links, are included for each staff member so that the public may contact the Commission via internet e-mail.

Additionally, the Commission has several PCs set up that the public might use during normal business hours. These PCs allow the same type of access at the Commissions office as through the Internet.

Application Information

Currently, there are nine databases used by the Commission. The Hardware/Software Tracking, Trouble Ticket, Compliance and Labels databases are MS Access Databases. WEDS (Washington Electronic Disclosure System) is stored and accessed by MS Foxpro 2.6 for Windows. Papergate, Informix and FoxPro are databases written in Gupta SQL, Informix and FoxPro. The PDC Informix/Access database is written in a mixture of Informix and MS Access.

The Hardware/Software Tracking and Trouble Ticket databases are used by IT staff to track changes in the IT infrastructure and to track problems experienced by PDC staff. The Compliance database will be used to track fines and payments made by people or groups that were fined when found not to be in compliance with state RCW's. The Labels database is used to make mass mailings to concerned groups or people involved with the PDC. The Papergate database is used to store images of documents filed by entities involved in various aspects of the election process. The Informix database is used to store raw data about candidates, lobbyists and committees on file with the PDC. The FoxPro database is used to track information on Lobbyists. The PDC Informix/Access database contains information about candidates, lobbyists and committees on file with the PDC. It is the database that the public accesses and programming code is used on. WEDS is used by Candidates and Political committees to electronically file their election information via the Internet.

A breakdown of the Commission mission critical data applications is made on the next page.

	FoxPro	Informix	PDC/Informix	WEDS
Application Type	Program Specific	Accounting with Data Tracking	Accounting with Data Tracking	Electronic Data Entry
Description	Tracks information on Lobbyists	Original core data that contains information about candidates, lobbyists and committees on file with the PDC	Contains information about candidates, lobbyists and committees on file with the PDC	An Internet application used by filers to enter data electronically, includes accounting and filer data, via the Internet into the Informix Database. It also controls a print utility that prints out entered data.
Supported programs & strategies	Data Entry and Tracking	Data Tracking	Data Tracking	Electronic Data Entry
Problems & Limitations	Used for a minor PDC purpose. The database is written in an application that no one here has experience with.	It is a database that is still being developed and the bugs are being removed as they are found. Data is not linking up correctly or appropriately.	It is a database that is still being developed and the bugs are being removed as they are found. Data is not linking up correctly or appropriately.	It is a electronic system that is still being developed and the bugs are being removed as they are found. Data is not being reported correctly and print utilities do not function properly.
Implementation Date	09/1997	08/1998	08/1998	04/1996
Last modification Date	01/2000	12/1999	12/1999	01/2000
FTE's required	1	1	1	1 - 2
Replacement or modification planned	Replacement planned	Yes	Yes	No
Modification description	Transferred 1999 data to a separate Foxpro Database and created an empty 2000 database	Attempt to correct data transfer problems.	Attempt to correct data transfer problems.	No
Ownership	PDC	PDC	PDC	PDC
Developed by	PDC	SDR	SDR	SDR
Application size				

Size	2+ GB	2+ GB	25 MB	1.75 GB
Primary Technology Platform	Desktop	Desktop	Desktop	Desktop through Internet
Site of Platform	PDC	PDC	PDC	User with end point at PDC
Operating System	Win 95	Win 95	Win 95	Win 95 or Win 98
Primary Language	MS Foxpro 2.5	MS Informix	MS Access/Informix	C++
Y2K Status	Certified	Certified	Certified	Certified

Database Information

There are 9 databases used, or will be used, by the Commission. They are:

Database Name:	Hardware/Software Database
Description:	Used to track the hardware, software and peripherals used in the IT environment
Applications Supported:	
Location:	PDC NT server
Owned By:	PDC
Sensitivity of Data:	None
Characteristics of Database:	MS Access 97
Database Vendor:	Microsoft
Database Size:	748 KB
Number of Records:	84
Frequency of changes:	As changes occur in hardware and software

Database Name:	Trouble Ticket
Description:	Used to track calls for assistance in the PDC infrastructure
Applications Supported:	
Location:	PDC NT server
Owned By:	PDC
Sensitivity of Data:	None
Characteristics of Database:	MS Access 97
Database Vendor:	Microsoft
Database Size:	5.5 MB
Number of Records:	20
Frequency of changes:	As calls for assistance occurs. Normally five to seven times per week.

Database Name:	Papergate by Image Tech
Description:	Used to store images of documents used for filings
Applications Supported:	Filings, Forms, and Minutes
Location:	PDC NT server
Owned By:	PDC
Sensitivity of Data:	None, except for personal financial affairs statement and Lobbyist Identification information
Characteristics of Database:	Uses optical scanning for data input and images
Database Vendor:	Gupta SQL
Database Size:	14.33 GB
Number of Records:	240,000 documents, 500,000 pages
Frequency of changes:	Daily

Database Name:	PDC Informix/Access
Description:	Contains information about candidates, lobbyists and committees on file with the PDC
Applications Supported:	
Location:	PDC NT server
Owned By:	PDC
Sensitivity of Data:	None
Characteristics of Database:	The data is stored in an Informix Database and accessed via MS Access 97 with an ODBC driver
Database Vendor:	Informix/Microsoft
Database Size:	25 MB
Number of Records:	30 million
Frequency of changes:	Daily

Database Name:	Informix
Description:	Original core data that contains information about candidates, lobbyists and committees on file with the PDC
Applications Supported:	
Location:	PDC NT server, backed up in California and Virginia
Owned By:	PDC
Sensitivity of Data:	None
Characteristics of Database:	The data is stored in an Informix Database and accessed via MS Access 97 with an ODBC driver
Database Vendor:	Informix/Microsoft
Database Size:	2+ GB
Number of Records:	100 million
Frequency of changes:	Daily

Database Name:	WEDS (Washington Electronic Data System)
Description:	An Internet application used by filers to enter data electronically via the Internet into the Informix Database. It also controls a print utility that prints out entered data.
Applications Supported:	Informix and Print Utility
Location:	PDC NT Server
Owned By:	PDC
Sensitivity of Data:	None
Characteristics of Database:	The data is stored in an Informix Database and accessed via MS Access 97 with an ODBC driver
Database Vendor:	Informix/MS FoxPro 2.5 for DOS
Database Size:	1750 +
Number of Records:	1125 +
Frequency of changes:	Hourly + down to daily

Database Name:	Compliance
Description:	Will contain information about fines levied and payments made
Applications Supported:	Tracking grievances and complaints against those groups/individuals and payments made for those found to be in violation of election laws.
Location:	PDC NT server
Owned By:	PDC
Sensitivity of Data:	None
Characteristics of Database:	Under development. Will use MS Access 97 for data usage.
Database Vendor:	Microsoft
Database Size:	845 KB
Number of Records:	257
Frequency of changes:	Daily

Database Name:	Foxpro
Description:	Tracks information on Lobbyists
Applications Supported:	
Location:	PDC NT server
Owned By:	PDC
Sensitivity of Data:	None
Characteristics of Database:	Written in MS Foxpro 2.5 for DOS
Database Vendor:	Microsoft
Database Size:	2+ GB
Number of Records:	100 million
Frequency of changes:	Daily

Database Name:	Labels
Description:	An address database used for mailings to appropriate people/groups.
Applications Supported:	
Location:	PDC NT server
Owned By:	PDC
Sensitivity of Data:	None
Characteristics of Database:	Written in MS Access 97
Database Vendor:	Microsoft
Database Size:	760 KB
Number of Records:	250
Frequency of changes:	As necessary, normally monthly

Technology Projects/Investments Summaries

The Technology Projects/Investments Summaries section is still under development so that it will reflect the latest guidance from DIS and the Legislature.

If you desire a copy of the Technology Projects/Investments Summaries section when it is completed, please contact

Karen Copeland 753-1111 or
Charles Salley 664-4962.

Or you may write to the following address:
Public Disclosure Commission
PO Box 40908
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Planned Projects/Investments

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